

INTRODUCTION

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PROCUREMENT **TOOLBOX**

WELCOME TO THE PROCUREMENT TOOLBOX

The PROCUREMENT TOOLBOX: A COMPREHENSIVE GUIDE TO GETTING + KEEPING YOUR FEMA GRANT DOLLARS! (ToolBox for Private Nonprofits) was created to assist the Subrecipient (Applicant) to better understand and meet Federal regulatory requirements in the procurement process. If you procure materials, supplies, goods and services using Federal funds, you need this ToolBox.

Scope of this Publication + Disclaimer

This document provides **guidance** on **Federal procurement regulations** as stated in *Code of Federal Regulations* (CFR) **44 CFR 13.36** and **2 CFR 200**.

Please remember that this publication addresses **Federal procurement requirements** *only*. The use of State and local funds may have **different requirements**. **FEMA requires that the Subrecipient (Applicant) follow the most restrictive process. You must also refer to your existing Procurement Policy.**

It is the responsibility of the Subrecipient (Applicant) to know and ensure that all Federal regulations are followed.

Purpose of this Publication

This ToolBox is intended to assist Subrecipients (Applicants) in **identifying** and **applying** the required Federal regulations for the proper **procurement** of **materials, supplies, goods** and **services** when using Federal funds.

How to Use this Publication

Do you know what methods of procurement you should use for different kinds of purchases? Do you know the **procurement requirements** based on **type** and **size** of purchase? Are you familiar with which types of **contracts** to use and when? Do you know which provisions **MUST** be included in your **contract documents** or which **procedures** you are **required** to have in *writing* ready for inspection? Do you know what to do to *ensure* procured materials, supplies, goods and services are **cost reasonable** or, for that matter, what “cost reasonable” means?

This publication provides *easy-to-read* and *follow* **charts, checklists, job aids, sample contracts** and **“What to Do! What Not to Do!”** to help you meet regulatory requirements regarding procurement using Federal funds.

References + Citations

You must know what is required by **statute** or **regulation**. You will find throughout this ToolBox source references to learn more about individual subjects.



Intended Audience

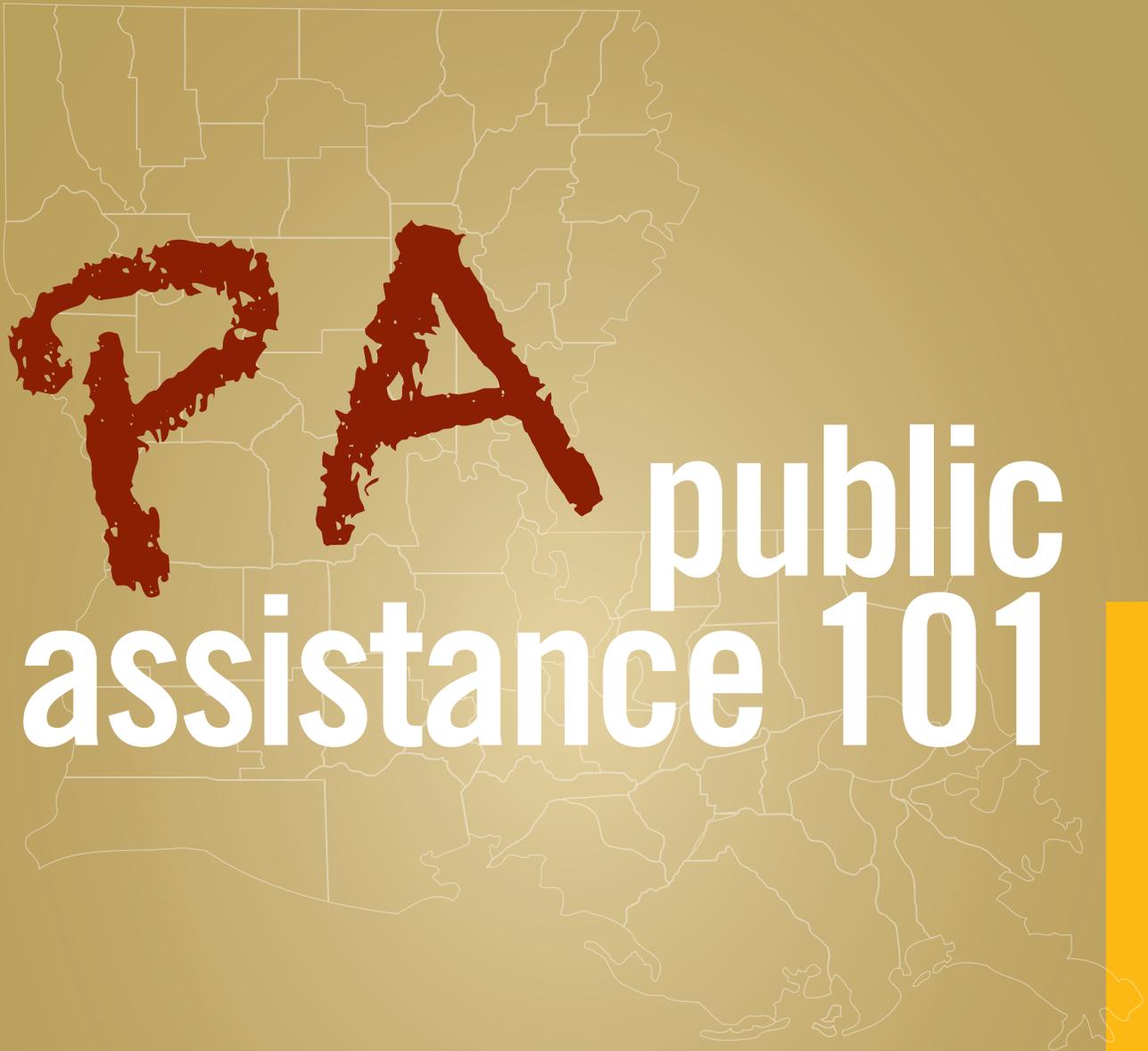
Intended audiences include Louisiana **private nonprofits** (PNPs) who receive funding from the **FEMA Public Assistance** (PA), **FEMA Hazard Mitigation Assistance** (HMA).

To the extent possible, GOHSEP will work with the Subrecipient (Applicant) to resolve procurement issues when identified.

Possible penalties for unresolved improper procurement may include:

- Withholding payments
- Deobligating funds
- Suspending grant
- Withholding *future* grants
- Repayment of disbursed funds





public assistance 101



PURPOSE OF THIS PUBLICATION

To raise **awareness** of **assistance available** through the Federal Emergency Management Agency (FEMA) **Public Assistance (PA) program** authorized under the *Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act)*.

INTENDED AUDIENCE

This publication is intended for **local** and **State** officials, Federally recognized **Tribal governments**, those **applying** for and/or **receiving** recovery-funding grants through the **FEMA PA** program and other disaster-recovery and mitigation **stakeholders**.

Public Assistance (PA) grant program

The **Public Assistance (PA) Grant Program** provides *supplemental Federal assistance* to States and local communities to **return** an area impacted by disaster to its *pre-disaster conditions* and **function**. PA supports initiatives that protect against *immediate* threats to **life, public safety** and **improved property**; the removal of **debris** as a result of a disaster and the **restoration** – through **repair** or **replacement** – of disaster-damaged **structures** and **facilities**.

WHO CAN PARTICIPATE IN THE PA PROGRAM?

There are **four (4) eligibility requirements** that must be met to participate in the **PA program**. The **Subrecipient (Applicant)** *must* be eligible for the **facility** to be eligible. The **facility** *must* be eligible for the **work** to be eligible. The **work** *must* be eligible for the **cost** to be eligible.



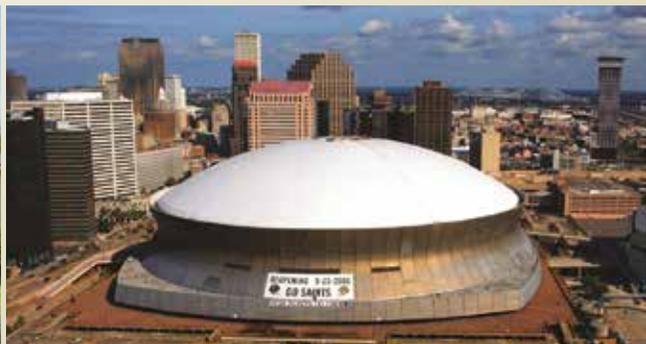
ELIGIBLE APPLICANTS

State of Louisiana	✓
Federally Recognized Tribal Governments	✓
Local Governments	Able to apply through State jurisdiction
Private Nonprofit Organizations	Able to apply through State jurisdiction

The cost of **eligible work** is typically a *shared cost*. The Federal share of assistance is no *less* than **75%** of the eligible cost for **emergency measures and Permanent work**. Under certain circumstances, the Federal share may be **90%** or even **100%**.



CAMERON PARISH COURTHOUSE IN CAMERON, LA



LOUISIANA SUPERDOME IN NEW ORLEANS, LA

ELIGIBILITY REQUIREMENTS

APPLICANT

There are **four (4) types** of **eligible** Subrecipients (Applicants) for PA. If an entity meets the requirements of **one (1)** of the types, the Subrecipient (Applicant) may be **eligible** to receive **Federal disaster assistance**.

- **State government agencies.**
- **Local governments and special districts – for example school districts, irrigation districts, fire districts and utility districts.**
- **Private nonprofit (PNP) organizations.** PNPs must own or operate facilities that are open to the **general public** and that provide certain *essential* and *critical* services otherwise performed by a government agency.
- **Federally recognized Native American Indian Tribes or authorized Tribal organizations.**

WORK

To be **eligible** for PA funding, disaster recovery work performed on an **eligible facility** *must* be:

- *Required* as a *direct* result of a **major disaster** event.
- Located within a **designated disaster area**.
- The **legal responsibility** of an **eligible** Subrecipient (Applicant).

FACILITY

The facility must be:

- Located in the **designated disaster area**.
- **Damaged** by the declared disaster or emergency.
- In *active* use and **open** to the **general public** at the time of the disaster.

COST

Generally, costs that can be *directly* tied to the performance of **eligible work** are **eligible**. Costs must be:

- **Reasonable** and *necessary* to accomplish the work.
- Compliant with **Federal, State** and **local requirements** for procurement.
- *Reduced* by all applicable credits, such as **insurance proceeds** and **salvage values**.

Cost is **reasonable** if it is a cost that is both **fair** and **equitable** for the type of work being performed.

What projects/activities are funded through PA grants?

There are **two (2) broad categories** of eligible work – **Emergency work** and **Permanent work**. Each category is further subdivided as shown in the graphic to the right.

- **Emergency work** must be performed to *reduce* or **eliminate** an *immediate* threat to **life, protect public health and safety** and to **protect improved property** that is threatened in a significant way as a result of a disaster.
 - » **Temporary facilities** may also be eligible for PA when **services** provided at public, Tribal and critical PNPs are **disrupted** due to a major emergency or disaster event.
- **Permanent work** is *required* to **restore** a damaged facility to its *pre-disaster* design and **function** and **capacity** – in accordance with applicable codes or standards.

APPLICATION PROCESS

An **Applicant Briefing** is conducted by the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) as soon as *feasible* following a **Presidential Declaration (PD)**. At the briefing, both the Federal Emergency Management Agency (FEMA) and GOHSEP staff are available to **assist** potential Subrecipients (Applicants) in determining eligibility for PA funding.

Local communities, State agencies, Tribal authorities and eligible **PNPs** apply for assistance from **FEMA** through **GOHSEP** by completing a *Request for Public Assistance (RPA)*. The RPA is FEMA's **official** application form. The form can be submitted at the Applicant Briefing or through **LouisianaPA.com** – GOHSEP's PA grants management portal.

PA projects must meet **environmental** and **historic regulations**. To learn more, download the **EHP environmental + historic preservation** brochure and **visit** *Environmental and Historic Preservation Guidance for FEMA Grant Applicants* at fema.gov/office-environmental-planning-and-historic-preservation.

WHEN IS THE APPLICATION PERIOD?

An RPA must be submitted to FEMA within **30 days** after **Presidential-declaration designation** of the area where the damage occurred.

FEMA PA WORK CATEGORIES	
EMERGENCY WORK	
Category A	Debris Removal
Category B	Emergency Protective Measures
PERMANENT WORK	
Repair Restoration of Disaster-damaged Public Facilities and Property	
Category C	Roads + Bridges
Category D	Water Control Facilities
Category E	Buildings + Contents + Equipment
Category F	Utilities
Category G	Parks + Recreational + Other

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
REQUEST FOR PUBLIC ASSISTANCE

EXAMPLES OF ELIGIBLE PA WORK

Eligibility rules are sometimes complex and can be confusing. To learn more, refer to the FEMA *Public Assistance Program and Policy Guide* (PAPPG), Chapter 2, IV. General Work Eligibility OR visit [fema.gov/media-library/assets/documents/111781](https://www.fema.gov/media-library/assets/documents/111781) OR contact your GOHSEP PA State Applicant Liaison (SAL) OR call 225-925-7590.

EMERGENCY WORK

CATEGORY A: DEBRIS REMOVAL

Trees + woody debris	✓
Building components or contents	✓
Sand + mud + silt + gravel	✓
Wreckage produced during conduct of emergency protective measures (for example, drywall)	✓

CATEGORY B: EMERGENCY PROTECTIVE MEASURES

Alerts + warning of risks + hazards	✓
Building stabilization	✓
Emergency communications	✓
Emergency evacuations of medical and custodial care facilities	✓
Emergency mass care and shelter operations	✓
Emergency medical facilities	✓
Food + water + ice + other essential needs	✓
Blue roofs	✗
PNP facility emergency protective measures IF the facilities are otherwise eligible	✓
Rescue + care + shelter + essential needs for household pets and service animals	✓
Search + rescue	✓
Security in the declared disaster area	✓
Transportation of disaster victims	✓

Temporary generators for facilities that provide health and safety services

✓

Removal of dead animals

✓

Vector control when serious threat

✓

Under certain conditions, ice removal

✓

PERMANENT WORK

CATEGORY C: ROADS + BRIDGES

Road surfaces + bases + shoulders	✓
Road ditches	✓
Road drainage structure + low-water crossings	✓
Bridge approaches	✓
Bridge decking + pavement	✓
Bridge piers + girders + abutments	✓
Bridge slope protection	✓

CATEGORY D: WATER CONTROL FACILITIES

Canals + aqueducts + sediment basins	✓
Certain irrigation facilities	✓
Dams + reservoirs + levees	✓
Engineered drainage channels	✓
Pumping facilities	✓
Shore protective devices	✓

CATEGORY E: BUILDING + EQUIPMENT

Codes + standards upgrades or a portion of that work	✓
Contents or a portion thereof	✓

Equipment

✓

Mold remediation

✓

Restoration through repair or replacement of damaged facilities to pre-disaster design + function

✓

Routine maintenance

✗

Temporary or permanent relocation

✓

Under certain circumstances, ADA compliance work or a portion of that work

✓

CATEGORY F: UTILITIES

Communications	✓
Power generation + distribution	✓
Sewage collection systems	✓
Water treatment plants + distribution	✓

CATEGORY G: PARKS + RECREATION + OTHER

Fish hatcheries	✓
Golf courses	✓
Mass transit facilities	✓
Picnic tables	✓
Piers + boat docks	✓
Playground equipment	✓
Swimming pools + bath houses	✓
Tennis courts	✓
Trees + ground cover + landscaping	✗
Other facilities that do not fit in Categories C – F	✓

ADA	Americans with Disabilities Act
EHP	Environmental and Historic Preservation
FEMA	Federal Emergency Management Agency
GOHSEP	Governor's Office of Homeland Security and Emergency Preparedness
LAPA	Louisiana Public Assistance
PA	Public Assistance
PD	Presidential Declaration
PDA	Preliminary Damage Assessment
PNP	Private Nonprofit
RPA	Request for Public Assistance
SAL	State Applicant Liaison

FEMA Public Assistance Program and Policy Guide (PAPPG) – FP 104-009-2 / April 2017
fema.gov/media-library/assets/documents/111781

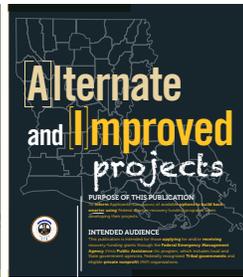
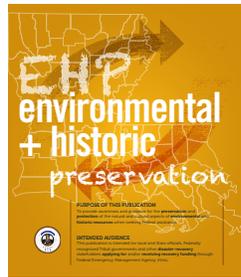
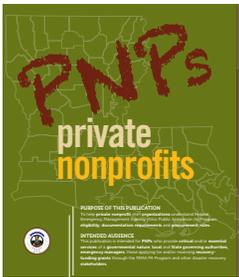
FEMA PA: Local, State, Tribal and Private Nonprofit
fema.gov/public-assistance-local-state-tribal-and-non-profit

FEMA RPA Application Form
fema.gov/library/viewRecord.do?id=2658

Louisiana Public Assistance (LAPA)
LouisianaPA.com

Stafford Act
fema.gov/media-library/assets/documents/15271

PUBLIC ASSISTANCE TOOLBOX



ALTERNATE AND IMPROVED PROJECTS *Coming Soon!*

NEED HELP?

If you need **assistance** with a **PA application** or want to **know more** about PA funding opportunities, contact your GOHSEP PA SAL or call 225-925-7590.



NEW FEMA PUBLIC ASSISTANCE (PA) MODEL



FEMA has changed the way it administers the Public Assistance (PA) Program through the introduction of a new PA model. The new model enhances performance and includes continuous improvements from lessons learned over time to achieve maximum potential of PA funds invested in communities after a declared emergency or disaster.

Beginning **September 12, 2017**, FEMA implemented a new delivery model for all *future* declared disasters. Under this model, projects are segmented based on the **complexity** of the type of work; workflows are transparent and accountable through the **Grants Manager** and **Grants Portal Tool**; specialized staff, roles and responsibilities are paired to fit Subrecipients' (Applicants') needs; and, **Consolidated Resource Centers (CRCs)** are used to ensure **consistency** across multiple disaster operations. To learn more, see the **Grants Manager** and **Grants Portal Tool** in the APPENDIX of this publication.

WHAT'S CHANGED	WHAT HAS NOT CHANGED
<ul style="list-style-type: none"> • Process • Roles + Responsibilities • Tools + Templates • Systems 	<ul style="list-style-type: none"> • Law • Regulations • Policy

Projects are now processed through an assembly line.

- Specialized and skilled personnel are aligned to each task.
- The process is streamlined.
- Span of control is established.

Phase I: Operational Planning: The identification of disaster impacts and Subrecipient (Applicant) recovery priorities.

Phase II: Intake Damage and Eligibility Analysis: Codify disaster-related damages – completion within **60 days** of the Recovery Scoping Meeting (RSM). Facilitation of Site Inspections.

Phase III: Scoping and Costing: Development and validation of Subrecipient (Applicant) — provided *scopes of work* and costs based on codified damage.

Phase IV: Reviews: Eligibility review queues and project obligation.

A NEW APPROACH

- 
Segmentation: Projects divided by work type + complexity.
- 
Standardization: New tools + checklists guide staff through work flow.
- 
Specialization: New positions created for specific, customer-forward duties.
- 
Consolidation: Document validation + technical review experts available across multiple disasters.





The following are new terms and acronyms used for FEMA's New PA Delivery Model:

Exploratory Call – Program Delivery Manager (PDMG) makes contact with assigned Applicant representatives to obtain general information about the Applicant and disaster impacts, and to identify the next steps.

PA Group Supervisor (PAGS) – Provides Disaster Overview Briefing to PDMGs and other PA staff including Recipient staff, Environmental and Historical Preservation (EHP) and Hazard Mitigation Assistance (HMA) staffs.

Program Delivery Manager (PDMG) – Applicant's primary point of contact (POC).

Program Delivery Task Force Leader (PD TFL) – Conducts an initial "Sit-With" for each PDMG to assess skill sets and experience and then makes a recommendation to the PAGS for Applicant assignments.

Recovery Scope Meeting (RSM) – Formerly Kickoff Meeting.

Site Inspector Task Force Leader (SI TFL) – Coordinates with the PDMG to ensure requested time for site visit is available after which the PDMG submits the *Site Inspection Work Order*.

Specialized Project Manager (SPPM) – Formerly Project Officer.

See [fema.gov/new-public-assistance-delivery-model](https://www.fema.gov/new-public-assistance-delivery-model) for more information.



**BUILDING SAFER,
STRONGER
COMMUNITIES**



the **NEW** 10 things to know about **funding** hazard mitigation

EDUCATE
to
MITIGATE™



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PURPOSE OF THIS PUBLICATION: It is an introductory guide to hazard mitigation funding.

THIS PUBLICATION IS INTENDED: For Office of Homeland Security and Emergency Preparedness (OHSEP) Directors, parish-level officials and staff and other hazard mitigation stakeholders who may be involved in the identification of local hazard mitigation projects and management of FEMA Hazard Mitigation Assistance (HMA) grants. Its purpose is to help create a better understanding of available funding, who can apply, how to apply, the benefits of applying and how each grant can be used.

10 things to know about hazard mitigation

1 WHAT IS HAZARD MITIGATION?

Hazard mitigation is **any sustained action taken to reduce or eliminate future risk to people and property** from natural and man-made hazards and their effects. **Raising** homes, wind retrofits (roof tie-downs, window shutters, etc.) for critical facilities, drainage improvements, acquiring flood-prone structures and **flood control** are some of the more visible examples of mitigation.

Mitigation is smart, responsible and it's **cost-effective!**

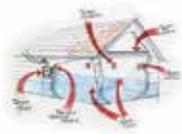
For every \$1 spent on mitigation, approximately \$4 are saved in future reduced losses.

*United States Congressional Budget Office, *Potential Cost Savings from the Pre-Disaster Mitigation Program, 2007.*

CLEARLY IT PAYS TO MITIGATE!



elevate



raise electrical



reinforce



construct safe room

2 WHAT IS THE DIFFERENCE BETWEEN MITIGATION AND PREPAREDNESS?

They are similar. Both are intended to **reduce disaster impacts**. Planning where government services will be housed if established offices are damaged or destroyed in the wake of a disaster is an example of a **preparedness strategy**. Planning how to **locate, connect** with and **organize** staff after a disaster is a **preparedness strategy**.

Building and retrofitting so that structures can **withstand hurricane-force winds; elevating structures above flood waters; and relocating** structures to avoid the path of destruction are examples of **mitigation strategies**.

Levees — an important mitigation strategy — are included under other programs and are not in the Hazard Mitigation Assistance (HMA) program.

3 WHY IS HAZARD MITIGATION IMPORTANT?

- Louisiana has a history of **major hurricanes**, has experienced **hundreds of flooding events** and felt the impacts of damaging high winds, **tornadoes** and **ice storms**.



- Louisiana topography places Louisiana structures at risk for repetitive damage from flooding and high winds.
- Disaster impacts to Louisiana have totalled **BILLIONS** of dollars in damages and well over a thousand lost lives.
- While most disasters cannot be avoided, hazard mitigation strategies can **break** the cycle of destruction, **lessening the loss of life and property damage**.

The bottom line: Hazard mitigation strategies help us build safer, stronger, smarter and more resilient communities better prepared to withstand future disasters.

4 ARE THERE FUNDS OR RESOURCES TO HELP COMMUNITIES IMPLEMENT HAZARD MITIGATION STRATEGIES?

YES! Federal Emergency Management Agency (FEMA) Hazard Mitigation Assistance (HMA) programs are important opportunities and resources.

- There are **TWO non-disaster grants** available on **annual funding** cycles.
- Plus, there is the Hazard Mitigation Grant Program (HMGP) available **after a Presidentially declared disaster**.

We call these programs **the big 3**. The Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) administers them.



Non-Disaster Grants:

Pre-Disaster Mitigation (PDM)

Flood Mitigation Assistance (FMA)

Post-Disaster Grant:

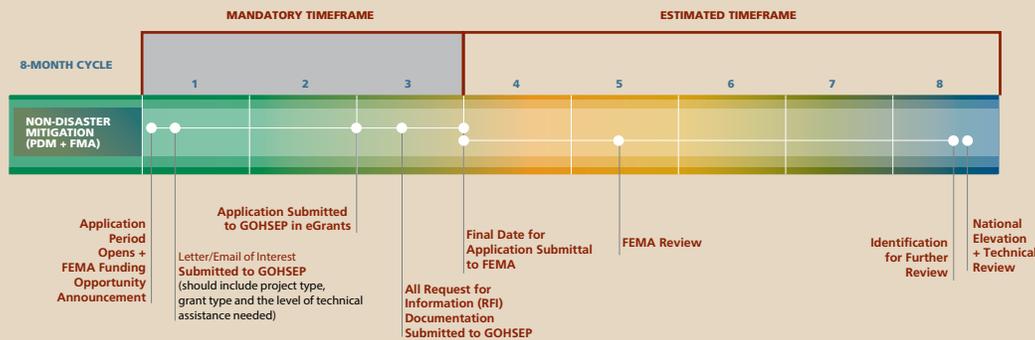
Hazard Mitigation Grant Program (HMGP)

There are also a number of other **grants** that may include mitigation or mitigation-related **technical assistance** and **funding** resources within other Federal agencies and programs. Check out the following link: www.fema.gov/library/viewRecord.do?id=2152 and download the document: *Disaster Assistance: A Guide to Recovery Programs*; OR visit www.cfda.gov and download *Catalog of Federal Domestic Assistance*.

5 WHAT ACTIVITIES CAN BE FUNDED BY HAZARD MITIGATION GRANT DOLLARS?

- At-Risk Property Acquisition (including demolition and relocation)
- Structure Elevation
- Dry Floodproofing (e.g. sealing a building) of Historic Residential and Non-Residential Structures
- Minor Localized Flood Reduction Projects (e.g. drainage projects)
- Hazard Mitigation Planning
- Retrofitting of Existing Buildings and Facilities (roof straps, hurricane screens, elevate HVAC and utility panels, etc.)
- Safe Room Construction
- Soil Stabilization (e.g. erosion control, sinkhole mitigation, etc.)
- Wildfire Mitigation
- Elevate Roads
- Culvert/Bridge Enlargements, etc.
- 5% Initiative Projects (flex projects such as code enforcement, community education, generators, outreach, etc.)

sample non-disaster ANNUAL grant cycle (FY14)



There is some overlap between grants. For help in determining which grant is best for you contact your GOHSEP Hazard Mitigation State Applicant Liaison (HM SAL) for assistance.

6 WHO CAN APPLY FOR the big 3?

State and local governments, certain private nonprofits and Federally recognized Native American tribes are eligible to apply for grants or sub grants.

Individuals are NOT eligible to apply for hazard mitigation funding. However, an eligible Applicant may apply for funding to mitigate private structures.

7 UNDER WHAT CONDITIONS AM I ELIGIBLE TO APPLY FOR ONE OF THE TWO (2) NON-DISASTER ANNUALLY FUNDED HAZARD MITIGATION GRANTS?

You are an eligible Applicant if:

- You are a parish or local jurisdiction and have a FEMA-approved *Hazard Mitigation Plan* (HMP).
- You are a **municipality** that participated in the development of your parish HMP and your governing authority has formally adopted it.
- You are a **State agency, Federally recognized tribal government** or **local government**.
- You are a **nonprofit organization** that provides governmental-type services (e.g. hospitals, schools, day care, etc.). Check with your local Office of Homeland Security and Emergency Preparedness (OHSEP) or the GOHSEP HM SAL for your region to learn more.
- Your project is located in a **National Flood Insurance Program (NFIP)-participating community**.

NOTE: If you are a homeowner and have flood insurance, contact your parish to inquire about non-disaster grants.

non-disaster grants

ELIGIBLE APPLICANTS	PDM	FMA	HMGP
State Agencies	✓	✓	✓
Federally Recognized Tribal Governments	✓	✓	✓
Local Governments	✓	✓	✓
Private Nonprofit Organizations	*Able to apply through local jurisdiction.		

8 DOES MY HAZARD MITIGATION ACTIVITY HAVE TO BE INCLUDED IN OUR LOCAL, FEMA-APPROVED HMP TO BE ELIGIBLE FOR GRANT FUNDING?

YES. If your proposed activity is not listed in your local *Hazard Mitigation Plan*, contact your OHSEP Director.

9 IF MY PARISH IS THE RECIPIENT OF A HAZARD MITIGATION GRANT PROGRAM (HMGP) ALLOCATION, ARE WE STILL ELIGIBLE TO APPLY FOR NON-DISASTER GRANTS?

YES. The TWO (2) non-disaster grants (PDM, FMA) are available on annual funding cycles and independent of post-disaster HMGP allocations.

10 GRANTS OFTEN REQUIRE A NON-FEDERAL MATCH. HOW CAN MY COMMUNITY MEET THE MATCH?

In addition to simply writing a check, there are many other ways to meet the non-Federal match **withOUT** writing a check.

For example:

- State, local government, homeowner **contributions**, or any combination of these can be used to meet the non-Federal match.
- **In-kind** labor, equipment, supplies and materials (owned, controlled and operated by the Applicant) used on the project can be applied to the non-Federal match.
- Third-party contributions of **volunteer services**, **donated supplies** or **loaned equipment** or **space** are possibilities for meeting the match.
- **Community Development Block Grant (CDBG)** funds may also be used.

Do not let a non-Federal match requirement prevent your community from applying for hazard mitigation grants.

For more information, contact your HM SAL.

find us on the web!

getagameplan.org



family
PLAN

business
PLAN

mitigation
PLAN

kids
PLAN

the big 3

eligible activities

Eligible activities for funding under the Hazard Mitigation Assistance (HMA) programs fall into the following categories. Check with your GOHSEP Hazard Mitigation State Applicant Liaison (HM SAL) for details.

NON-DISASTER ANNUAL GRANTS



	PDM	FMA	HMGP
1. Mitigation Projects	✓	✓	✓
At-Risk Property Acquisition and Structural Demolition	✓	✓	✓
At-Risk Property Acquisition and Structural Relocation	✓	✓	✓
Structure Elevation	✓	✓	✓
Mitigation Reconstruction		✓	
Dry Floodproofing of Historic Residential Structures	✓	✓	✓
Dry Floodproofing of Non-Residential Structures	✓	✓	✓
Minor Localized Flood Reduction Projects	✓	✓	✓
Structural Retrofitting of Existing Buildings	✓		✓
Non-Structural Retrofitting of Existing Buildings and Facilities	✓	✓	✓
Safe Room Construction	✓		✓
Wind Retrofit for One- and Two-Family Residences	✓		✓
Infrastructure Retrofit	✓	✓	✓
Soil Stabilization	✓	✓	✓
Wildfire Mitigation	✓		✓
Post-Disaster Code Enforcement			✓
Generators	✓		✓
5% Initiative Projects			✓
2. Hazard Mitigation Planning	✓	✓	✓
3. Management Costs	✓	✓	✓

Pre-Disaster Mitigation (PDM):

The PDM Grant Program, provides resources to assist States, Tribal governments, territories and local communities to reduce overall risk to the population and structures from future hazard events, while also reducing the reliance of Federal funding from future disasters.

Flood Mitigation Assistance (FMA):

The FMA Grant Program provides resources to assist States, Tribal governments, territories and local communities in their efforts to reduce or eliminate the risk of repetitive flood damage to buildings and structures insurable under the National Flood Insurance Program (NFIP) as authorized by the National Flood Insurance Act of 1968, as amended.

Hazard Mitigation Grant Program (HMGP):

The HMGP provides grants to states and local governments after a major disaster declaration. HMGP was created to reduce the loss of life and property due to natural disasters and provides resources for the implementation of mitigation measures during recovery from a disaster. The State determines how projects are selected for funding and FEMA reviews for eligibility.

HOW NON-DISASTER GRANTS COMPARE



- 75% Federal share/ 25% non-Federal match required.
- 90% Federal share/ 10% non-Federal match
- *If small impoverished community.
- Grant determination is nationally competitive.

- 75% Federal share/ 25% non-Federal match required.
- RL: 90% Federal share/ 10% non-Federal match required.
- SRL: 100% Federal share/ 0% non-Federal match required.
- Grant determination is nationally competitive.

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WHAT IS A FEDERAL DISASTER DECLARATION?

There are TWO (2) types of Federal Disaster Declarations. BOTH REQUIRE THIS MINIMUM STANDARD: The incident is of such *severity* and *magnitude* that effective response is beyond the capabilities of the State and affected local or Tribal governments.

EMERGENCY 44 CFR 206.35	MAJOR 44 CFR 206.36
<ul style="list-style-type: none"> Threat to the State OR event occurs that does not reach the major declaration threshold. 	<ul style="list-style-type: none"> Once a catastrophe has occurred, Federal assistance is necessary to supplement the efforts and available resources of State, local governments, disaster relief organizations, and compensation by insurance for disaster-related losses.
<ul style="list-style-type: none"> Must be submitted by the Governor within five (5) days of the need (but no longer than 30 days after the incident). 	<ul style="list-style-type: none"> Must show an estimate of the amount and severity of damages.
<ul style="list-style-type: none"> Federal assistance is required to save lives and protect property, public health and safety, or to <i>lessen or avert</i> the threat of a disaster. 	<ul style="list-style-type: none"> Must describe the nature and amount of State and local resources already committed.
<ul style="list-style-type: none"> Only possible assistance: Category A, Category B and Direct Federal Assistance (DFA)*. 	<ul style="list-style-type: none"> Possible assistance: Categories A - G and Direct Federal Assistance (DFA)*.

*When the State and local government lack the capability to perform or to contract for eligible emergency work and/or debris removal, the Subrecipient (Applicant) may request that the work be accomplished by a Federal agency. DFA is subject to cost sharing provisions and eligibility criteria.

Governor's Requests

Factors considered when evaluating a **Governor's Request** for a **Major Disaster Declaration** (44 CFR 206.48):

 FEMA PUBLIC ASSISTANCE (PA)	 FEMA INDIVIDUAL ASSISTANCE (IA)
<ol style="list-style-type: none"> Estimated cost of the assistance (per capita indicator threshold). Localized impacts. Insurance coverage in force. Hazard Mitigation (HM). Recent multiple disasters. Programs of other Federal assistance. 	<ol style="list-style-type: none"> Concentration of damages. Trauma. Special needs population. Voluntary agency assistance. Insurance. Average amount among Individual Assistance (IA) by State.

A Governor may request an **Emergency Declaration** and subsequently request a **Major Declaration**. **FEMA** may roll the Emergency Declaration into a **Major Declaration**.

Appealing a denial of a Disaster Declaration (44 CFR 206.46): An appeal must be made within **30 days** after the denial and is a one-time request for consideration. It must include a justification and/or additional information from the original request for declaration.



Tribal Rule

A Tribe has the option to request an **Emergency** or **Major Disaster Declaration** independently of the State. For more information or assistance in requesting an independent Tribal Emergency or Major Disaster Declaration, please contact Tribal Affairs — Phone: 202-212-5184 Online: [fema.gov/tribal](https://www.fema.gov/tribal)



WAVES

private nonprofits

PURPOSE OF THIS PUBLICATION

To help **private nonprofit (PNP) organizations** understand Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program **eligibility, documentation requirements and procurement rules.**

INTENDED AUDIENCE

This publication is intended for **PNPs** who provide **critical and/or essential services** of a **governmental nature, local and State governing authorities, emergency managers**, those applying for and/or receiving **recovery-funding grants** through the FEMA PA Program and other disaster-recovery stakeholders.



After a disaster, what PNPs need to know about . . .

GETTING HELP

Emergencies and/or disasters can devastate communities and those businesses, organizations and infrastructures that support them. When disaster damages **exceed specific thresholds**, the **President may declare** the event an **emergency** and/or **major disaster**. This declaration opens the door to **Federal assistance** for response and recovery measures, including those that help **PNP entities providing critical or essential governmental – type services** impacted by a disaster.



DOWNED ELECTRIC LINES - ELECTRICAL CO-OPS

Assistance may be available through **several Federal programs**. This brochure **focuses** on the **FEMA PA Program**.

PA is provided through a grant to the State (Grantee), administered by the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) and **subgranted to eligible Subrecipient (Applicant) for eligible work** as defined under the PA Program.



If you are a PNP providing critical or essential governmental type services, and your organization **incurred damages as a result of a**



FEMA

Presidentially declared disaster or **emergency**, GOHSEP

encourages you to **apply for assistance** through the FEMA PA Program.

APPLICATION PROCESS

To be considered for assistance, your organization must submit:

- Request for Public Assistance (RPA).
- PNP Facility Questionnaire.
- Any supporting documentation.

The RPA, PNP Facility Questionnaire and documentation are then **submitted** to FEMA through GOHSEP.

The deadline for submitting an RPA is **30 days after the President's disaster declaration** relative to your location. For more information – and to complete an RPA – please visit LouisianaPA.com/site/resources.cfm and click *Request for Public Assistance (PDF)* under the *GOHSEP State Administration Plan Documents* section.

Also see the *5 STEPS . . . Public Assistance (PA) Application Process for PNPs* insert to this publication.



LOUISIANA.PA.COM (LAPA) WEBSITE

ELIGIBILITY

To be eligible for PA funding, a PNP must meet the following requirements:

- **Provide critical or essential governmental-type services.**
- **Be a tax-exempt nonprofit.** Documentation to support your tax-exempt status must include an *Effective Ruling Letter* from the Internal Revenue Service (IRS) granting **tax-exemption** under 501(c), (d) or (e) of the *Internal Revenue Code of 1954*. [SOURCE: 44 CFR 206.221(f)(1)]
OR provide **satisfactory evidence** from the State that your organization is **non-revenue-producing** or a **nonprofit** entity organized or doing business under **State law LRS 33:9024**. [SOURCE: 44 CFR 206.221(f)(2)]
- **Non-critical PNPs must be open to the public.** [SOURCE: 44 CFR 206.221(e)(7)]

ELIGIBLE EMERGENCY + PERMANENT WORK CATEGORIES

- A** Debris Removal
- B** Emergency Protective Measures
- C** Roads + Bridges
- D** Water Control Facilities
- E** Buildings + Equipment
- F** Utilities
- G** Parks + Recreational + other

CRITICALITY + SERVICES

Eligible PNP participation in the FEMA PA Program is determined, in part, as to whether the PNP is offering critical or essential services of a **"governmental nature"** [as defined in 44 CFR 206.221(e)] and the **critical** nature of services provided. Eligible service providers generally fall into **two (2) categories**, PNP organizations that provide:

- **Critical services.**
- **Non-critical – other essential services.**

CRITICAL SERVICES PNPs

Critical services PNPs [as defined in 44 CFR 206.221(e)] **provide the following services essential to a community's viability.**

CRITICAL SERVICES

- Power
- Water
- Irrigation facilities
- Sewer services + wastewater treatment
- Communications
- Education
- Emergency medical care
- Fire department services
- Emergency rescue
- Nursing homes
- Eligible facilities supporting facilities that provide critical services

44 CFR 206.221(e)(1-6)

Critical or essential PNPs are eligible for FEMA Emergency and Permanent Work disaster assistance.

NON-CRITICAL – OTHER ESSENTIAL SERVICES PNPs

Non-critical PNPs provide **other essential governmental – type services** to the community.

Non-critical PNPs are *immediately* eligible for FEMA **Emergency Work** disaster assistance. However, you must apply for Small

NON-CRITICAL - OTHER ESSENTIAL SERVICES

- Museums
- Zoos
- Performing arts facilities
- Community centers
- Community arts centers
- Libraries
- Homeless shelters
- Rehabilitation facilities
- Senior citizen centers
- Shelter workshops
- Health + safety services of a governmental nature

44 CFR 206.221(e)(7) + DISASTER ASSISTANCE POLICY (DAP) 9521.3

Business Administration (SBA) funding **prior** to being considered for FEMA **Permanent Work** disaster assistance. (Please see next section.)

	Services Provided	Tax-exempt	Non Profit	Generally Open to the Public	Immediately Eligible for Emergency Work	Immediately Eligible for Permanent Work	Must Apply First to SBA to be Considered for FEMA PA Permanent Work Funding	50+% of Functional Space OR Time Used for Eligible Activities
Critical Services PNP	See list in red box above	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Non-critical Services PNP	See list in red box above	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Remember, FEMA PA is a **REIMBURSEMENT PROGRAM**.
ALL PNP grants are **reduced** by insurance proceeds + **may be reduced** by other grants received.
If you are a **non-critical PNP**, your FEMA PA grant amount is **adjusted** in accordance with the terms of your SBA loan.

RELATIONSHIP OF PNPS +

NON-CRITICAL – OTHER ESSENTIAL SERVICES PNPs

To be considered for FEMA PA, **non-critical PNP facilities** requesting reimbursement for **Permanent Work** costs **MUST first apply for a disaster loan from the SBA**. [To learn more, visit SBA.gov/loanprograms.]

If your PNP is **denied** a loan through SBA **OR** if the loan and/or other funding resources **do not fully cover eligible damages**, your PNP is eligible for assistance through the FEMA PA Program.

You should apply to **both** SBA and FEMA **concurrently** to ensure you **meet all deadlines for applications to both programs**.

CRITICAL SERVICES PNPs

Critical services PNPs do NOT have to apply to SBA for loans to be eligible for FEMA PA.

FACILITY USAGE ANALYSIS

When a request is made for PA funding, damages to the facility are **considered** as follows:

SPACE

- **More than 50%** of facility **functional** space must be **dedicated** to **eligible uses** for the facility to be eligible for assistance.
 - **Common spaces** (lobbies, rest rooms, utility closets, janitorial closets, elevators, stairs, parking, etc.) are **not included** in calculating the proportion of eligible use.
- If the eligible space meets the **50% threshold**, PA funding is in **direct proportion** to the **percentage of space** dedicated to **eligible use**.

TIME

- When space is **not dedicated** to specific activities, or is used for eligible and ineligible purposes, **primary use** is determined by the **amount of time** used for eligible services. [SOURCE: DAP 9521.3]
- Repairs must be made to the **entire facility**. The balance of costs to repair damages or replace a facility are **not funded** by FEMA.

DOCUMENTATION REQUIREMENTS

In addition to documenting tax-exempt status, and an *Effective Ruling Letter* from the IRS noted previously, your PNP must also provide proof of **ownership** or – if leased – proof of **responsibility** for repairs to the damaged facility at the time of the disaster.

You must also provide documentation that demonstrates what **percentage** of the facility is used for eligible purposes.

See **Step 1** of the *5 STEPS . . . Public Assistance (PA) Application Process for PNPs* insert for a **detailed list** of documentation requirements.

TOP PHOTO: COMMUNITY CENTER
BOTTOM PHOTO: DAMAGED NURSING HOME



It is YOUR responsibility to know + understand + comply with all applicable Federal laws.

PROCUREMENT

Procurement is the process of **acquiring** (buying, purchasing, renting/leasing or otherwise obtaining) goods and services. There are **rules governing** how goods and services are acquired when paid for with **Federal dollars**.

For Presidentially declared disasters *prior to* **December 26, 2014**, PNPs are required to follow **2 CFR 215.40-48** and the cost principles articulated in **2 CFR 230**.

After **December 26, 2014**, PNPs follow 2 CFR 200, which addresses both administrative requirements and cost principles. [SOURCE: 2 CFR 200.110]

There may also be **State** and **local rules** that apply. It is **YOUR responsibility** to comply with all that apply.

Under 2 CFR 200.320, there are **five (5) methods of procurement** accepted by FEMA:

- **Micro-purchases**
- **Small-purchase procedures**
- **Sealed bids**
- **Competitive proposals**
- **Non-competitive proposals in limited situations**

To learn more on each type of procurement, please visit: gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-sec200-320.pdf

All contract procurement should be conducted in a manner providing **full** and **open competition**.

IMPORTANT TO KNOW...

- In the event of a Presidentially declared disaster, GOHSEP **schedules Applicant Briefings** + coordinates FEMA **Kickoff Meetings** that provide an overview of the FEMA PA Program.
- **Important deadlines:**
 - The deadline for submitting an RPA is **30 days** after a **Presidential disaster declaration** is made.
 - You have **60 days** from the **FEMA Kickoff Meeting** to identify + report damages.
- Prepare a **list of sites** damaged + mark them on a Parish road or city map.
- Gather copies of **insurance policies + other important documents** on damaged structures.
- **Before + after pictures** are important to support damage assessments.
- Be **prepared** to share information about **historic** structures that might be damaged + projects that may have a potential impact on the **environment**.
- Those applying for FEMA PA funding should be **aware** that there is a **non-Federal** or **local cost share up to 25%** of eligible project costs.
- FEMA PA is a **cost reimbursement** program. GOHSEP reimburses funds to a Subrecipient – now an Applicant – in accordance with its procedures. **Timelines** for **payment** vary depending upon a variety of circumstances.
- Anyone may obtain information about the FEMA PA Program at fema.gov. Once on the FEMA web page, click on *Disaster Assistance*. Then, click on *Public Assistance*.
- **Important resources:**
 - **FEMA – Public Assistance Program and Policy Guide**
 - **FEMA 325 – Debris Management Guide**
 - **GOHSEP Documentation Requirements Checklist, PA Pre-event – Closeout**



GOHSEP PROCUREMENT CHECKLIST + GOHSEP THE NEW PROCUREMENT GUIDE: GETTING AND KEEPING YOUR FEMA GRANT DOLLARS! CAN BE DOWNLOADED AT gohsep.la.gov/publications.aspx

ACRONYMS

CFR	<i>Code of Federal Regulations</i>
DCFS	Louisiana Department of Children and Family Services
DOE	Louisiana Department of Education
FEMA	Federal Emergency Management Agency
GOHSEP	Governor's Office of Homeland Security and Emergency Preparedness
IRS	Internal Revenue Service
PA	Public Assistance
PNP	Private Nonprofit
RPA	<i>Request for Public Assistance</i>
SAL	GOHSEP State Applicant Liaison
SBA	Small Business Administration

REFERENCES

- 2 CFR 200
ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl
- 44 CFR
ecfr.gov/cgi-bin/text-idx?SID=55b626c34d6c81858c72b0fddaaeff48&mc=true&tpl=/ecfrbrowse/Title44/44chapterI.tpl
- FEMA 321 – *Public Assistance Policy Digest* – January 2008
fema.gov/pdf/government/grant/pa/pdigest08.pdf
- FEMA 322 – *Public Assistance Program and Policy Guide*
fema.gov/media-library/assets/documents/111781
- FEMA 323 – *Public Assistance Applicant Handbook* – March 2010
fema.gov/pdf/government/grant/pa/fema323_app_handbk.pdf
- FEMA 325 – *Debris Management Guide* – July 2007
fema.gov/pdf/government/grant/pa/demagde.pdf
- GOHSEP – *Documentation Requirements Checklist*, PA Pre-event – Closeout
gohsep.la.gov/publications.aspx
- GOHSEP *PROCUREMENT CHECKLIST*
gohsep.la.gov/publications.aspx
- GOHSEP *The NEW PROCUREMENT GUIDE: Getting and KEEPING your FEMA grant dollars!*
gohsep.la.gov/publications.aspx
- Internal Revenue Code of 1954*
law.cornell.edu/uscode/text/26
- Louisiana Public Assistance website (LAPA)
LouisianaPA.com
- Louisiana Revised Statute (LRS)
legis.la.gov/legis/LawSearch.aspx
- U.S. Small Business Administration
SBA.gov



All forms are available at LouisianaPA.com

For more information on PNPs,
contact your GOHSEP Public Assistance (PA) State Applicant Liaison (SAL)
OR
Call GOHSEP at 225.925.7500.

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Submitting an application for assistance under the  **FEMA** Public Assistance (PA) Program is not complicated. Use the following steps as a guide.

5 STEPS . . .

Public Assistance (PA) Application Process for Private Nonprofits (PNPs)

Under the FEMA Public Assistance (PA) Program, an **eligible private nonprofit (PNP) organization** is one that:

- Provides **critical or essential governmental-type services**.
- Is **tax-exempt** according to the Internal Revenue Service (IRS).
- Operates as a **nonprofit** under Louisiana law.
- Is generally **open to the public**.

1

Applicant completes an application package and submits to GOHSEP to request PA.		
ASSEMBLING APPLICATION PACKAGE		
For more information:		
<input type="checkbox"/>	Applicant completes a <i>Request for Public Assistance (RPA)</i> (FEMA Form 90-49) + <i>PNP Facility Questionnaire</i> (FEMA Form 90-121). Please make sure to include a phone number and email address.	<i>RPA + PNP Facility Questionnaire</i> can be found at LouisianaPA.com/site/resources.cfm
<input type="checkbox"/>	Provide evidence of Federal tax-exempt status, including an <i>Effective Ruling Letter</i> from the IRS granting tax-exemption under 501(c), (d) or (e) of the <i>Internal Revenue Code</i> of 1954 . . . OR Documentation that provides satisfactory evidence from the State that your organization is non-revenue producing or a nonprofit entity organized or doing business under State law LRS 33:9024 .	<ul style="list-style-type: none"> • To learn more about tax-exemption visit irs.gov or revenue.louisiana.gov • Please also refer to 44 CFR 206.221(f)(2)
<input type="checkbox"/>	Pre-disaster <i>Articles of Incorporation/Charter/Bylaws</i> .	sba.gov/content/cooperative
<input type="checkbox"/>	Dun & Bradstreet number (D-U-N-S number).	To learn about DUNS, visit dnb.com
SUBMISSION TO GOHSEP 		
<input type="checkbox"/>	Submit package to GOHSEP within 30 days of a Presidentially declared disaster.	It is recommended that this information be submitted online at LouisianaPA.com . However, it can be faxed to 225.267.2832 , addressed to the attention of: GOHSEP RPA
SUBMISSION BY GOHSEP TO FEMA FOR REVIEW   FEMA		
<input type="checkbox"/>	When all documents necessary for FEMA to make an eligibility determination have been submitted to GOHSEP, the application package is forwarded by GOHSEP to FEMA.	

2

3

As a reminder . . . all **non-critical PNP facilities** **must** apply with the Small Business Administration (SBA)  for a disaster loan. Once an SBA determination has been made, you **must** submit the decision to GOHSEP. For more information, visit sba.gov/loanprograms.



4

NOTIFICATION



After **reviewing** the application package and supporting documentation, FEMA **officially notifies** GOHSEP of its determination **regarding eligibility**.

- For non-critical PNPs, FEMA does not make a determination until an SBA decision is rendered.

GOHSEP then **officially notifies Subrecipient** (Applicant) of FEMA's determination through **written correspondence**.

5

KICKOFF MEETING



If it is determined that you are an **eligible PNP**, FEMA + GOHSEP coordinate a **Kickoff Meeting** with your organization to start the process of **identifying/confirming eligible, reimbursable damages**.

All damages must be **identified + reported** to FEMA within **60 days** from the Kickoff Meeting.

Please also refer to
44 CFR 206.202(d)(ii)

If your RPA is approved and you have disaster-related damage to your facility(ies), please be prepared to provide the following additional information at the Kickoff Meeting:



Proof of **ownership** of the damaged facility or – if leased – proof of **responsibility** for repairs to the damaged facility at the time of the disaster.
— Examples include: Deed + mortgage + lease stating Subrecipient (Applicant) is responsible for repair of damages + bill of sale + any other applicable ownership documents.

Please also refer to:
• 44 CFR 206.223(a)(3)
• *Public Assistance Guide* FEMA 322/ June 2007, page 23



Copy of the **insurance policy** in effect at the time of disaster associated with damaged facility/elements (if applicable).

Please also refer to
44 CFR 206.250-252(d)



Any required accreditations or licenses. For example . . .
— *If* your facility operates as a school, you need to **demonstrate** that the school is **accredited** or **recognized** by the **Louisiana Department of Education (DOE)**.
— *If* your facility operates as a **day-care facility**, you need to **demonstrate** that it is **recognized** as a **licensed** day-care facility by the **Louisiana Department of Children and Family Services (DCFS)**.



louisianabelieves.com
or
dcfs.louisiana.gov



Proof of **usage**:
— Any documentation that can show **percentage** of the facility used for **eligible** purposes. Examples include **anything** that can show how the facility was used at the time of the disaster such as **pre-disaster photos + activity calendars**.

Public Assistance Guide - FEMA 322/ June 2007



For **non-critical – other essential services PNPs**:
— Be prepared to provide a copy of your **SBA application**. To be considered for FEMA PA, you **MUST first** apply to SBA *before* becoming eligible for Permanent Work assistance.
— Please note that **final facility eligibility** for the PA Program is **not made** until there is a **determination** of your SBA application.

sba.gov

Additional information about the FEMA PA Program and PNP eligibility can be found at fema.gov by typing "Public Assistance" into the search engine, and also on www.LouisianaPA.com by clicking on the *Resources* page.



FEMA

Fact Sheet

PUBLIC ASSISTANCE: PRIVATE NONPROFIT HOUSES OF WORSHIP

The Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program provides supplemental assistance to states, tribes, and local governmental entities, as well as certain private nonprofit (PNP) organizations (hereinafter referred to as applicants). FEMA's *Public Assistance Program and Policy Guide* (<http://www.fema.gov/public-assistance-policy-and-guidance>) provides comprehensive information regarding assistance that FEMA can provide and the requirements that applicants must follow in order to receive the assistance. The purpose of this Fact Sheet is to provide key information about the eligibility of PNP house of worship (HOW) applicants.

Background

FEMA announced on January 2, 2018, that PNP HOWs are eligible for disaster assistance as community centers without regard to their secular or religious nature. These changes are effective for disasters declared on or after August 23, 2017, and for applications for assistance that were pending with FEMA as of August 23, 2017, including applications on first- or second-level appeal, that FEMA has not finally resolved.

Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), FEMA provides financial assistance, through its Public Assistance Program, to certain PNP organizations for the repair or replacement of facilities damaged or destroyed by a major disaster. FEMA's changes now make HOWs owned or operated by PNP organizations eligible applicants for this financial assistance (1) if their facilities suffered damage from an emergency or a major disaster declared on or after August 23, 2017, or (2) if they had applications pending with FEMA for damage suffered in an emergency or major disaster declared prior to August 23, 2017, that have not been resolved.

As with other non-critical PNPs under the Stafford Act, FEMA financial assistance for the repair or replacement of a PNP HOW facility is limited to costs that a loan from the U.S. Small Business Administration (SBA) will not cover. PNP HOWs must apply to the SBA for a loan, as required by the Stafford Act. FEMA may provide financial assistance if the PNP HOW is denied a loan or if the loan authorized is insufficient to cover repair costs.

This change is reflected in the third edition of the *Public Assistance Program Policy Guide* (FP 104-009-2, January 2018), which is available online at www.fema.gov/media-library/assets/documents/111781.

Frequently Asked Questions

What type of assistance can HOWs apply for now that they couldn't previously receive?

Prior to this change, PNP religious organizations that owned or operated an eligible facility, such as a community center or school, could apply to FEMA for assistance to repair, restore, or replace the disaster-damaged facility (Permanent Work); this remains the same. This policy change makes PNP HOWs eligible for Public Assistance as community centers. This policy change treats HOWs like any other eligible PNP community center facility. As with other community centers, the HOW must be open to the general public.

"FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards."

January 26, 2018



Will FEMA provide funding to replace contents in PNP HOWs, including one-of-a-kind or irreplaceable objects and collections?

Damaged contents necessary to the operation of PNP HOW facilities are eligible to the same extent the contents of other eligible PNP facilities' contents, without regard to the religious nature of the contents. This includes replacement of destroyed contents with items similar in age, condition, and capacity. However, replacement of rare books, collections, and objects is generally ineligible under the Public Assistance Program. Costs associated with stabilization of such items is eligible. For more information, see the *Public Assistance Program and Policy Guide* Chapter 2 Section VII.H.3.f Irreplaceable Collections and Individual Objects at page 123 and Appendix K: Work Eligibility Considerations by Type of Facility at page 205.

What is the process for a PNP that owns or operates a HOW to apply for assistance?

HOWs are subject to the generally-applicable PNP rules and processes. As community centers, they provide non-critical services under the Stafford Act. Therefore, PNPs seeking Permanent Work for a HOW must also first apply for a disaster loan from SBA. If the HOW's loan application is declined or the SBA loan will not fully cover the damages FEMA will provide funding for eligible Permanent Work. For eligible Emergency Work associated with a HOW, the PNP may apply directly to FEMA for assistance without applying for an SBA loan.

To apply for assistance from FEMA, applicants must submit a Request for Public Assistance (RPA, FEMA Form 90-49) to FEMA through the Recipient (the State, Territorial, or Tribal government). For more information on submitting an RPA, applicants should contact their State (or applicable) emergency management agency and see the [Public Assistance Program and Policy Guide](#) (Version 3.1, dated January 2018).

Given this change is retroactive to August 23, 2017, will HOWs still have to apply to SBA for disaster loan financing?

Yes. SBA will accept disaster loan applications past the filing deadline from PNP houses of worship/churches for disasters declared from August 23, 2017 through January 1, 2018. Applications from PNP HOWs that incurred damages after January 1, 2018, will be accepted within the original deadlines designated for the declared disaster.

For online applications to SBA, applicants should visit the SBA website at <https://disasterloan.sba.gov/ela/>. For additional assistance with the application process, applicants should contact the SBA Disaster Customer Service Center at (800) 659-2955.

If the timeframe to apply for an SBA loan has expired, will SBA still consider a loan application from a HOW?

SBA will accept disaster loan applications past the filing deadline for PNP HOWs for disasters declared from August 23, 2017, through January 1, 2018. Applications from PNP HOWs that incurred damages after January 1, 2018, will be accepted within the original deadlines designated for the declared disaster.

For online applications to SBA, applicants should visit the SBA website at <https://disasterloan.sba.gov/ela/>. For additional assistance with the application process, applicants should contact the SBA Disaster Customer Service Center at (800) 659-2955.



Federal Emergency Management Agency

If a faith based PNP owns and operates a facility that includes both space for religious purposes and space for other purposes, how does this change affect the type and amount of assistance?

FEMA will apply its policy on mixed-use PNP facilities as described on page 17 of the [Public Assistance Program and Policy Guide](#) (Version 3.1, dated January 2018) and eligibility will be determined based on the primary use of the facility. If over 50 percent of the facility is used for an ineligible PNP service, such as recreation, then the facility will not be eligible.

A facility also may be mixed use of critical and non-critical services for the purpose of the requirement to apply for an SBA loan. If the PNP is providing several functions out of a single building and one of those functions is critical, for example elementary education, the PNP could apply directly to FEMA. Where the PNP facility consists of several buildings, FEMA would evaluate the facility on a building by building basis, which may result in a situation where the applicant can apply directly to FEMA for damage to their school building, but they have to apply to SBA first for the HOW.

Is there an established timeframe for HOWs to submit their applications to FEMA?

Generally, the deadline to submit an RPA to FEMA is within 30 days of the respective area being designated in the declaration for the event. These changes are effective for disasters declared on or after August 23, 2017, and for applications for assistance that were pending with FEMA as of August 23, 2017, including applications on first- or second-level appeal, that as of today have not yet been resolved by FEMA. Potential PNP HOW applicants who have **not yet submitted an RPA** should contact their State (or applicable) emergency management agency for information on the RPA submission deadline. For disasters declared on or after August 23, 2017, with RPA submission deadlines that closed prior to this policy change, the State may request that FEMA re-open the RPA period for a reasonable time to allow affected PNP HOWs to apply.

Public Assistance applications and first and second appeals involving HOWs that were **previously on hold** are being processed again as of January 2, 2018.

For major disasters declared after January 1, 2018, for applicants for Public Assistance, including HOWs, the deadline for submission of RPAs is typically 30 days from the date of declaration or designation of an area for assistance, subject to any extensions requested by a State (or other Recipient) and approved by FEMA.

How will PNP HOWs be notified of this change and the opportunity to apply for assistance?

On January 2, 2018, FEMA issued a press release clarifying this policy change and also provided notifications to Intergovernmental, Congressional, and Private Sector stakeholders. Joint Field Offices will complete stakeholder notifications and update all Public Assistance messaging to reflect eligibility for HOWs. FEMA is also pursuing outreach opportunities with multiple national faith-based organizations and members of the Volunteer Organizations Active in Disasters.

If a HOW provided support to disaster survivors such as food, clothing and shelter, can the HOW receive reimbursement for those costs?

For PNPs, eligible emergency protective measures are generally limited to activities associated with preventing damage to an eligible facility and its contents. Emergency services to save lives, preserve



Federal Emergency Management Agency

property and public health and safety are usually the responsibility of State, Territorial, Tribal, or local governments. Therefore, PNPs are generally not legally responsible for those services and FEMA does not provide PA funding to PNPs for the costs associated with providing those services. When a PNP provides emergency services at the request of, and certified by, the legally responsible government entity, FEMA provides Public Assistance funding through that government entity as the eligible applicant.

What Federal requirements do HOWs have to comply with in order to receive FEMA grant funding?

PNP HOW applicants need to meet the general Public Assistance eligibility requirements as well as the generally-applicable PNP requirements. As non-critical PNPs, HOWs must also satisfy the requirement to apply for assistance from SBA for Permanent Work. HOW applicants must also comply with the Federal grant award requirements of 2 CFR Part 200.



HOUSES OF WORSHIP (HOW)

Private Nonprofits (PNPs) can only be eligible for Public Assistance (PA) if they own a facility that provides eligible services. If the facility offers both eligible and ineligible services, FEMA will determine PA eligibility based upon the space and time of use devoted to eligible services. If more than 50% of the space and time are devoted to eligible services, the facility will be eligible for PA. However, PA funding is reduced based upon the space and time devoted to ineligible services.

Prior to January 2018, FEMA considered religious activities to be **ineligible** for PA funding. In January 2018, FEMA changed their policy and removed religious activities from the list of ineligible services. The policy now considers activities of houses of worship to be **eligible services** without regard to their secular or religious nature.

What This Means for HOW Applicants

- If a PNP HOW owns a facility in which it **conducts religious activities**, then those activities may now be considered eligible for PA.
- If the PNP HOW owns an eligible facility that was **damaged** in a disaster **on or after August 23, 2017**, then the current policy would apply to them.
- If you are a PNP HOW applying for PA due to damages from a *prior* disaster, please contact **GOHSEP appeals** for possible further action.



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